

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

GWENN HALE,

Plaintiff,

V.

MICHELLE R. PULLEY, and
ROSALINA GONZALES,

Defendants.

Civil No. **03-353-MJR**

ORDER

PROUD, Magistrate Judge:

Before the Court is plaintiff's Motion for Third Party Interrogatories and Third Party Subpoena. **(Doc. 38).**

Plaintiff states that crucial information and documents are in the possession of third parties. He does not identify the third parties. It is not clear what relief he seeks from the Court.

The Court has entered a scheduling order. **See, Doc. 36.** The parties are free to proceed with discovery, and, in general, do not need leave of Court to do so. Leave must be obtained, however, to take the deposition by written questions or on oral examination of a person who is in prison. **Federal Rules of Civil Procedure 30 and 31.** Plaintiff does not need leave to serve subpoenas for the production of documents on third parties. Plaintiff does not need leave to serve interrogatories and requests for production on a defendant who has entered his or her appearance.

Upon consideration and for good cause shown, plaintiff's Motion for Third Party Interrogatories and Third Party Subpoena. **(Doc. 38)** is **DENIED**.

IT IS SO ORDERED.

DATE: April 20, 2006.

s/ Clifford J. Proud
CLIFFORD J. PROUD
UNITED STATES MAGISTRATE JUDGE